

Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 16 - 19 and 21 - 28 are presently pending in the application. Claim 22 was amended to correct a typographical error. Claims 1 - 15 and 20 were previously canceled. As it is believed that the claims were patentable over the cited art in their previously presented form, the claims have not been amended to overcome the references.

Item 2 of the Office Action requested that the term "special hardware" be clarified. It was alleged that, in its broadest sense, "special hardware" could be interpreted as being software only. Applicants believe that the meaning of this term, in the context of the claims, would be understood, on its face, by a person of ordinary skill in the art.

In item 4 of the Office Action, claims 16 - 19 and 21 - 27 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U. S. Patent Application Publication No. 2001/005382 to Cave et al ("CAVE") in view of U. S. Patent No. 5,838,996 to DeCarmo ("DECARMO"). In item 5 of the Office Action, claim 28 was rejected under 35 U.S.C. § 103(a) as allegedly being obvious over CAVE in view of DECARMO, and

further in view of H. Schulzrinne, "Request for comments:

2833", May 2000 ("SCHULZRINNE").

Applicants respectfully traverse the above rejections.

More particularly, claim 16 recites, among other limitations:

controlling the speech dialogue system by a control device that, independently of the selected codec, sends a signaling message to the first packet network terminal and that message stipulates the use of out-of-band signaling; and

Thus, Applicants' claim 16 requires, among other things, a control device that sends a signaling message to the first packet network stipulating the use of out-of-band signaling. Page 3 of the Office Action alleges that paragraph [0027] of the CAVE reference "sends a signaling message to the first packet network terminal and that message stipulates the use of out-of-band signaling". Applicants respectfully disagree.

More particularly, paragraph [0027] of CAVE, states:

Thus in a further preferred embodiment of the present invention, a gateway or browser may convert user input indication signals (e.g., DTMF signals from a telephone, or keyboard input from an IP phone) received from a party connected via the gateway or browser into user input indication messages in an out-of-band channel in the H.323 protocol to be read by the packet VRU, separate from the redirected media streams. This may be especially useful for higher compression schemes (e.g., G.723) which cannot properly compress and decompress user input indication

signals in-band with the voice signal. By using user input indication messages, the packet VRU advantageously does not need to receive the media streams if the sole reason is to detect user input indication signals, and this approach also circumvents the digital signal processing associated with in-band user input indication detection. Thus the packet VRU may redirect the media streams to travel directly between the parties without passing through the packet VRU, and still maintain call control, including receiving user input indication messages from the users. Alternatively, if the receiving party also needs to receive user input indication signals, for example if the receiving party is a synchronous VRU monitoring user input indication signals, then either the originating gateway or the packet VRU can send the user input indication messages to the destination gateway, which may then convert the messages back into actual user input indication signals added into the voice signal. [emphasis added by Applicants]

As can be seen from paragraph [0027] of CAVE, pointed to in the Office Action, the CAVE reference does not teach or suggest, among other things, a control device that sends a signaling message to the first packet network terminal and that message stipulates the use of out-of-band signaling, as required by Applicants' claim 16. Rather, the CAVE reference specifically teaches receiving in-band user input indication signals from a "first packet network terminal" (i.e., DTMF signals from a telephone, or keyboard input from an IP phone) and converting them to out-of-band signals for processing by the packet VRU remotely. Nothing in the cited portion of CAVE, or any other discloses that the gateway or browser disclosed in CAVE sends a message to the telephone or IP phone of CAVE stipulating the use of out-of-band signals, as

required by Applicants' claims. To the contrary, the gateway or browser of CAVE receives the signals from the phone of CAVE and converts them, thus, the alleged "first packet network terminal" of CAVE is never notified of an out-of-band requirement, nor, because of the conversion, does it need to receive such a stipulation from the control device.

As such, the CAVE reference does not teach, among other limitations of Applicants' claims, a control device that sends a signaling message to the first packet network terminal and that message stipulates the use of out-of-band signaling, as required by Applicants' claim 16. The DECARMO reference does not cure the above-discussed deficiencies of the CAVE reference.

Additionally, Applicants' claims 16 and 28 require, among other limitations:

providing a first speech dialogue system, the first speech dialogue system having no special hardware for the support of in-band signaling;

Applicants' independent claim 22 recites, among other limitations:

a first speech dialogue system, the first speech dialogue system having no hardware devices for the support of in-band signaling;

As such, Applicants' claims require, among other things, no special hardware (claims 16 and 28) or no hardware for the support of in-band signaling.

Pages 3 and 6 of the Office Action point to paragraph [0027] of the CAVE reference as allegedly disclosing this feature of Applicants' claims. Applicants respectfully disagree.

As discussed hereinabove, paragraph [0027] of the CAVE reference actually shows that CAVE supports in-band signaling - by providing a gateway or browser that is configured to convert the in-band signals to out-of band signals. Thus, CAVE clearly discloses that the first speech dialogue system includes special hardware devices configured for the support (i.e., the recognition and conversion of) in-band signaling, contrary to Applicants' claimed invention.

The DECARMO reference discloses a system for determining the presence of hardware decompression, selectively enabling hardware-based and software based decompression, and conditioning the hardware when hardware decompression is available. In DECARMO, a common, uncompressed data interchange format is used for applications regardless of any compression technique that may have been used to create a data file. The DECARMO reference does not teach or suggest, among

other limitations of Applicants' claims, a first speech dialogue system, the first speech dialogue system having no special hardware for the support of in-band signaling. Thus, DECARMO does not cure the above-discussed deficiencies of the CAVE reference.

For the foregoing reasons, among others, Applicants' claims are believed to be patentable over any combination of the CAVE and DECARMO references cited in the Office Action. The SCHULZERINNE reference, cited in the Office Action in combination with the CAVE and DECARMO references against Applicants' independent claim 28, does not cure the above-discussed deficiencies of the CAVE and DECARMO references.

It is accordingly believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 16, 22 and 28. Claims 16, 22 and 28 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 16, 22 or 28.

In view of the foregoing, reconsideration and allowance of claims 16 - 19 and 21 - 28 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stermer LLP, No. 12-1099.

Respectfully submitted,

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